

Message Text

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ACTION IO-13

INFO OCT-01 AF-08 ISO-00 IOE-00 SSO-00 NSCE-00 USIE-00
INRE-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03
NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 ARA-06 EA-07
EUR-12 NEA-10 COME-00 EB-07 LAB-04 SIL-01 OIC-02 /110 W
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O R 191535Z JAN 77
FM AMEMBASSY ACCRA
TO SECSTATE WASHDC IMMEDIATE 6176
INFO USMISSION GENEVA

C O N F I D E N T I A L SECTION 1 OF 2 ACCRA 0418

FROM HOROWITZ FOR IO TOUSSAINT; ALSO PASS LABOR

E.O. 11652: GDS
TAGS: ELAB, ILO
SUBJ: PREPARATIONS FOR FEBRUARY 1977 MEETING OF ILO GB

REF: STATE 9912

1. FEBRUARY-MARCH ILO GOVERNING BODY SESSION WILL HAVE THE MAJOR ISSUES ON ITS AGENDA OF POSSIBLE AMENDMENT TO ARTICLE 17 OF CONFERENCE STANDING ORDERS AND DIRECTOR GENERAL PAPER ON ISRAELI RESOLUTION. THE STURCTURE ISSUE IS NOT RPT NOT ON GENDA AND IT IS DIFFICULT SEE HOW IT COULD BE BROUGHT BEFORE GOVERNING BODY (GB). WORKING PARTY ON STRUCTURE REPORTS DIRECTLY TO STRUCTURE COMMITTEE OF THE ANNUAL CONFERENCE AND NOT RPT NOT TO THE GB.

2. I AGREE THAT DEMARCHE WOULD BE USEFUL WITH RESPECT TO ARTICLE 17 TO GB MEMBERS. SOME DIFFERENTIATION IS IN-DISPENSABLE, HOWEVER. AS RESULT OF INFORMAL CONSULTATIONS AMONG IMEC COUNTRIES ON GB AT NOVEMBER GB SESSION, THESE COUNTRIES HAVE ALL COMMITTED THEMSELVES TO SUPPORT ARTICLE 17 AMENDMENT. DEMARCHES TO THESE COUNTRIES MIGHT SIMPLY
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TAKE FORM OF CONFIRMING THEIR AGREEMENT. IN CASE OF OTHER GOVERNMENT MEMBERS, HOWEVER, FULL PRESENTATION OF BACKGROUND JUSTIFICATION AND NATURE OF AMENDMENT WOULD BE NECESSARY PART OF DEMARCHES. I URGE THAT POSTS BE INFORMED WHETHER GOVERNMENT IS TITULAR OR DEPUTY MEMBER AND THAT DEMARCHES VARY BETWEEN THE TWO TO REFLECT THAT WE KNOW THAT IN BOTH CASES THE COUNTRY FULLY PARTICIPATES IN DIS-

CUSSION BUT THAT IT IS ONLY TITULAR MEMBERS WHO VOTE ON ISSUES. IN THIS REGARD REFTEL REFERS TO DEPUTY MEMBERS BEING EQUAL IN NUMBER TO THAT OF TITULAR MEMBERS. AS DEPARTMENT MUST BE AWARE, THERE ARE 28 GOVERNMENT TITULAR MEMBERS AND 18 GOVERNMENT DEPUTY MEMBERS WITH EQUIVALENT NUMBER IN EACH CASE FROM EMPLOYER AND WORKER REPRESENTATION COMBINED. FOR THOSE COUNTRIES HAVING WORKER OR EMPLOYER REPRESENTATION ON GB, EMBASSIES MIGHT BE REQUESTED TO DISCUSS MATTER WITH RELEVANT REPRESENTATIVES ONLY IF THE EMBASSY ALREADY HAS CLOSE RELATIONSHIP WHICH WOULD MAKE THIS APPEAR NORMAL. IN OTHER CASES SUCH APPROACHES MAY RAISE MORE PROBLEMS THAN ANY ADVANTAGES WHICH MIGHT BE GAINED.. AFL-CIO REPRESENTATIVE BROWN IS FULLY COGNIZANT OF IMPORTANCE OF ISSUE AND WILL NO DOUBT BE CARRYING THIS BALL WITH WORKER REPRESENTATIVES.

3. I URGE THAT EXPLANATION OF AMENDMENT TO ARTICLE 19 IN PROPOSED CIRCULAR TELEGRAM (REFTEL PARA 2) BE MORE SPECIFIC AND MORE ACCURATE. AMENDMENT RELATES TO VIOLATION OF DUE PROCESS AS WELL AS POLITICALIZATION. AMENDMENT AS IT WILL COME BEFORE STANDING ORDERS COMMITTEE OF GB IS THE U.S. - SPONSORED TEXT AS AMENDED (AND ACCEPTED) THROUGH INFORMAL CONSULTATIONS IN NOVEMBER 1975 WITH OTHER MEMBERS OF WORKING PARTY ON STRUCTURE. THAT AMENDMENT DEFINES THE TWO CRITERIA OF NON-RECEIVABILITY: (1) CONDEMNATIONS OF COUNTRIES ON MATTERS NOT RELATED TO CONVENTIONS AND RECOMMENDATIONS OF ILO; AND (2) CONDEMNATION OF COUNTRIES ON MATTERS COVERED BY CONVENTIONS AND RESOLUTIONS WHERE AN INVESTIGATION HAS NOT TAKEN PLACE OR WHERE CONDEMNATION IS NOT IN ACCORDANCE

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WITH FINDINGS OF INVESTIGATING COMMITTEE. A THREE-MAN PANEL FROM COMMITTEE ON EXPERTS ON APPLICATION OF CONVENTIONS, INCLUDING CHAIRMAN AND TWO OTHERS, WOULD SCREEN RESOLUTIONS SUBMITTED TO CONFERENCE TO DETERMINE WHETHER THEY FELL WITHIN CRITERIA OF NON-RECEIVABILITY. APPEAL WOULD ALSO BE PROVIDED FOR TO THE OFFICERS OF THE CONFERENCE. IN BOTH CASE OF THE EXPERT PANEL AND OF THE OFFICERS OF THE CONFERENCE MAJORITY DECISION WOULD BE CONTROLLING.

4. IN VIEW OF FACT THAT STRUCTURE ISSUE WILL NOT BE BEFORE GB, THE FOCUS ON THIS ISSUE WILL REMAIN EXCLUSIVELY IN THE WORKING PARTY ON STRUCTURE DURING NEXT TWO MONTHS. THE IMMEDIATE TWO INTERRELATED STEPS ARE THE ATTEMPT TO POSTPONE MEETING OF WEEK OF FEBRUARY 7 (WHICH I PRESUME DEPARTMENT IS ACTING UPON), AND NEED FOR FURTHER NEGOTIATION WITH MAJOR INDUSTRIAL COUNTRIES. IT WOULD APPEAR TO BE INAPPROPRIATE FOR US TO MAKE DEMARCHES TO OTHER MEMBERS OF WORKING PARTY ON STRUCTURE BEFORE WE HAVE CONCLUDED OUR

NEGOTIATIONS WITH INDUSTRIAL COUNTRIES. AS DEPARTMENT
AWARE, IN MY PARIS CONVERSATIONS I TENTATIVELY AGREED TO
A MEETING FOR LATTER PURPOSE ON FEBRUARY 6, ON ASSUMPTION
THAT WORKING PARTY WOULD BEGIN MEETING ON SEVENTH. IF
WORKING PARTY MEETING IS POSTPONED, CONSULTATIN COULD BE
POSTPONED FOR SOME DAYS TO PERMIT ME TO HAVE MORE TIME
FOR CONSULTATION IN WASHINGTON AFTER MY RETURN FROM AFRI-
CAN TRIP.

5. FROM MY CONVERSATIONS DURING AFRICAN VISITS SO FAR,
IT IS CLEAR THT IN MOST OF THESE COUNTRIES THEY HAVE
LITTLE CONFIDENCE IN WORKING PARTY ON STRUCTURE AS A ME-
CHANISM FOR CONTINUED DISCUSSION OF STRUCTURE ISSUE AND
ENVISAGE THE POSSIBLITY OF CONTINUING INFORMAL DIS-
CUSSIONS OVER A LONG PERIOD AND BEYOND JUNE CONFERENCE ON
THESE ISSUES. MOST REJECT CONFRONTATIONIST TACTICS OF
WORKING PARTY SO-CALLED 77 SPOKESMEN IN FAVOR OF QUIET
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DISCUSSIONS. THIS IS VIEW I HAVE ENCOURAGED AS IT SEEMS
TO ME THAT IF SOME ALTERNATIVE APPROACHES TO COMPOSITION
OF GB ARE TO BE DEVELOPED BY USING OTHER THAN CONSTITUTIONAL

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C O N F I D E N T I A L SECTION 2 OF 2 ACCRA 0418

MEANS IT WILL BE SLOW PROCESS BUT ONE WHICH HOPEFULLY
AVOIDS FORMALITY OF WORKING PARTIES WHICH SO EASILY

FALL INTO HANDS OF EXTREMIST ELEMENTS. I LOOK FORWARD
TO DISCUSS THIS MATTER FURTHER ON MY RETURN TO WASHINGTON.

6. IN CONNECTION WITH RATIONALE IN DEFENSE OUR POSITION
OF CONTINUATION NON-ELECTIVE SEAT PRINCIPLE, I FIND REFTEL
PARA ONE, B, STRANGE. REASONS GIVEN MAY BE CONVINCING
TO THOSE INDUSTRIAL STATES ALREADY FILLING NON-ELECTIVE
SEATS; WOULD BE MUCH LESS COMPELLING TO OTHER INDUSTRIAL
STATES (E.G., NORWAY); BUT IT WOULD HARDLY BE CONVINCING
TO DEVELOPING COUNTRIES THAT WE WISH TO MAINTAIN NON-
ELECTIVE SEAT PRINCIPLE TO PREVENT INCREASE IN DEVELOPING
COUNTRY REPRESENTATION. FOR GENERAL PURPOSES OUR RATIONALE
HAS ALWAYS BEEN THAT: (1) EFFECTIVE FUNCTIONING OF THE GB
REQUIRES CONTINUITY OF REPRESENTATION AT LEAST FOR PART
OF ITS MEMBERSHIP; (2) PRINCIPAL INDUSTRIAL COUNTRIES
HAVE HAD LONG EXPERIENCE WITH RESPECT TO PROBLEMS OF
CONCERN TO ILO AND THAT THAT EXPERIENCE IS AN IMPORTANT
INGREDIENT IN EFFECTIVE FUNCTIONING OF ILO; (3) CRITERION
OF SIZE OF WORK FORCE WITH RESPECT TO NON-ELECTIVE SEATS
ENSURES REPRESENTATION OF COUNTRIES WHICH BECAUSE OF
LARGE WORK FORCE HAVE GREATEST STAKE IN ACTIVITIES OF ILO
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AND THEIR NATURE.

7. I AM CONFUSED BY REFTEL WHICH CONTAINS (1) INACCURATE
SUBJECT LISTING OF GB AGENDA; (2) INCORRECT SIZE OF GB;
(3) GENERAL UNDIFFERENTIATED APPROACH IN DEMARCHE TO
COUNTRIES WITH SUCH DIFFERENT INTERESTS; (4) INCOMPLETE
AND THEREFORE MISLEADING INFORMATION CONCERNING PROPOSED
AMENDMENT TO ARTICLE 17; AND (5) INAPPROPRIATE RATIONALE
FOR MAINTENANCE OF NON-ELECTIVE SEAT PRINCIPLE. COULD
THERE HAVE BEEN SUCH GROSS GARBLING OF REFTEL TRANSMISSION?
SMITH

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